

Amendments to the Drawings:

The attached replacement sheet of drawings includes a single figure, Figure 7, and replaces the original drawing sheet that included Figure 7. In the replacement sheet, Figure 7 has been enlarged to more clearly show the elements presented therein.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Claims 1-24 of the present application are currently pending. Claims 1, 2, 9, 10, 11, 12, 17, 20, 22, 24, 25 and 26 have been amended in the present Reply.

Paragraphs 1 and 2 of the Office Action

According to the Examiner, the declaration filed with the present application is defective because the "Applicant[s] [have] not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a)..."

This requirement is respectfully traversed because it is submitted that the joint Declaration and Power of Attorney executed by the Applicants on December 18, 2001 (and submitted at filing) did include their respective mailing addresses in accordance with 37 CFR 1.63(c)(1). A copy of the joint Declaration and Power of Attorney is attached hereto after page 18. Specifically, the second line of the joint Declaration and Power of Attorney declares that the post office address (i.e., mailing address) for the Applicants is presented below their respective names. At the bottom of the joint Declaration and Power of Attorney, there is an entry "Residence address." This residence address comprises both the residence and mailing address of the respective applicant. Accordingly, applicants have provided their mailing addresses and therefore their declarations for the present are not believed to be defective for the reasons expressed by the Examiner. Withdrawal of this requirement is respectfully requested.

Paragraph 3 of the Office Action

The drawings have been objected to by the Examiner because "Figure 7 is not clearly shown because of its size."

A single replacement sheet of drawings is attached that includes an enlarged version of Figure 7 that replaces the original Figure 7. Withdrawal of this objection is respectfully requested.

Paragraphs 4-8 of the Office Action

Paragraphs 4-8 of the Office Action identify several objections to the Specification of the present application. The above amendments to the Specification are believed to resolve the issues raised by the Examiner in paragraphs 4-8. Accordingly, withdrawal of the objections to the Specification raised in paragraphs 4-8 of the Office Action is respectfully requested.

Paragraphs 9-10 of the Office Action

Claims 9 and 11 have been objected to by the Examiner because of informalities. Claims 9 and 11 have been amended in a manner believed to resolve the informalities identified by the Examiner. Withdrawal of the objections to claims 9 and 11 for informalities is respectfully requested.

Paragraphs 11-14 of the Office Action

Claims 2-6, 17-19 and 22-27 have been rejected to under 35 U.S.C. 112, second paragraph for indefiniteness due to lack of sufficient antecedent basis. Claims 2 and 22 have been amended in a manner suggested by the Examiner to resolve the issues of antecedent basis and, therefore, are no longer believed to be indefinite under 35 U.S.C. 112, second paragraph. Since claims 2-6 and 17-19 depend from amended claim 1 and claims 23-27 depend from amended claim 22, these claims are also believed to no longer be indefinite under 35 U.S.C. 112, second paragraph. Withdrawal of this rejection under 35 U.S.C. 112, second paragraph to claims 2-6, 17-19 and 22-27 is respectfully requested.

Paragraphs 15-16 of the Office Action

Claims 1-27 have been rejected under 35 U.S.C. 103(a) for obviousness as being unpatentable over House (U.S. Pat. No. 6,785,805) in view of Sanders (U.S. Pat. No. 5,734,831). This rejection is respectfully traversed.

The amended claims have been amended to now recite that the integrated program comprise a “integrated middleware program” and the components comprise “middleware components.” Neither House nor Sanders is directed to a method for building an integrated middleware program as recited in amended claim 1 or a configuration tool that interfaces with a system integrator in integrating middleware programs as recited in amended claim 22. As explained in the present application, middleware translates information between the application programs and/or between an application program and the operating system. In contrast, the method and systems described in House do not disclose a method of building middleware in the manner recited in amended claim 1 or the configuration tool for integrating middleware program as recited in amended claim 22. Therefore, claims 1 and 22, as amended, are believed to be patentably distinguishable over House and/or Sanders. Claims 2-21 depend from amended claim 1 and claims 23-27 depend from amended claim 22 and therefore are believed to be allowable at least by virtue of their respective dependencies.

With particular respect to claim 15, the Examiner relies on a single paragraph in House (column 12, line 59 to column 13, line 4) to support the rejection of this claim. This paragraph in House states:

“Examples of system configuration options that may be provided through System Specific Systems and Services 110 and/or Key Account Systems and Services 112 include, but are not limited to, one or more individual hardware/software component types for inclusion in an integrated system either with each other or with a fixed or predefined sub-configuration of other hardware components, pre-set combinations or sub-combinations of two or more hardware/software component types for inclusion in the integrated system optionally with other

individual hardware/software components, operating features or characteristics of the integrated system, and/or hardware/software features and/or components that require custom engineering.”

Claim 15 recites:

“The method of claim 1, wherein:

said step of providing to the system integrator plural choices and said step of receiving are each conducted for choices of media type, processor identification, optimization level, and endianness.”

It is respectfully argued that the elements: processor identification, optimization level, and endianness as recited in claim 15 (and described in the present application) are not disclosed in the paragraph in House relied on by the Examiner.

With specific regard to optimization, as stated at page 25 in the present application:

“Optimization is a process run in step 605 for more efficiently integrating programs, with respect to code size and execution speed of the middleware type and components chosen in step 601 and step 604 from the displays of FIG. 2 and FIG. 3, through selection and design of data structures, algorithms and instruction sequences. Optimization choices determine the process of the system compiler or assembler in producing efficient executable code. For example, optimization is obtained with an optimizing compiler that, in response to a chosen optimization from the FIG. 3 display (step 604), prepares the completed executable programs downloaded according to step 605 or step 608 to run efficiently on the processor chosen in step 604.”

Such an Optimization process is simply not described, taught or suggested in column 12, line 59 to column 13, line 4 of House. Accordingly, claim 15 is patentably distinguishable from House and therefore is believed to be allowable over House.

Withdrawal of this rejection under 35 U.S.C. 103(a) for claims 1-27 is respectfully requested.


If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215.

In addition, if for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

Date: January 24, 2005

Respectfully submitted,

Squire, Sanders & Dempsey L.L.P.
600 Hansen Way
Palo Alto, CA 94304
Telephone (650) 856-6500
Facsimile (650) 843-8777

By: 
Vidya R. Bhakar
Registration No. 42,323

Attachments:

Copy of Joint Declaration and Power of Attorney submitted December 20, 2001
Replacement Sheet
Annotated Sheet Showing Changes

Signature: Arden Leha Date: 12/18/01

HAL 177

ENTIRE FIG. 7 ENLARGED
(INCLUDING ELEMENTS 702.)

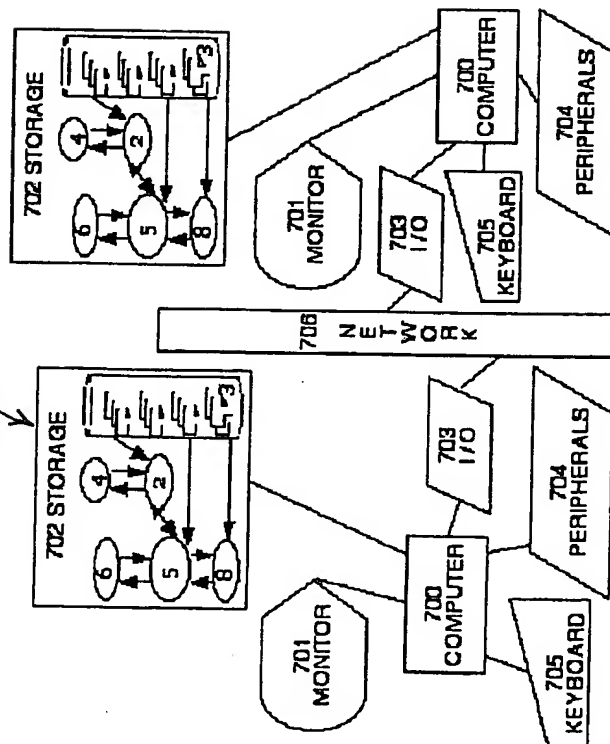


FIG. 7